

R E M A R K S

Claims 1-4 remain pending in the above-identified application.

The rejection of the claims under 35 U.S.C. § 102(b) as anticipated by Yabuki et al. is respectfully traversed. The cited Yabuki et al. reference was recognized by the present Applicant in the specification at page 4 when the specification described the disclosure of the Japanese Patent Kokai Publication No. 173504/1997. The Yabuki et al. reference employs thermoplastic resin (ionomer resin), and oil resistant rubber as an oil resistant coating layer (column 3, lines 29-47 of Yabuki et al.).

The present specification suggests the drawbacks of the cited Yabuki et al. invention as set forth in the priority document for the U.S. Patent 5,716,293, namely, the Japanese 173504, which is the Kokai Publication No. in 1997. The advance in the art over the cited Yabuki et al. invention has to do with the outer layer of the center, which is made of an oil-resistant rubber or ionomer resin, that is, a thermoplastic resin. This substance has a high hardness and the rebound characteristics of the resultant golf ball are inferior as well as poor shot feel when compared to the golf balls made according to the present specification which calls for thermoplastic elastomers, not thermoplastic resins. According

to the present invention, the outer layer of the center is made out of either a polyurethane thermoplastic elastomer or a polyester thermoplastic elastomer or a polyamide thermoplastic elastomer, or mixtures thereof. The Amendment which is offered in this Preliminary Amendment, adds to further limitation on the outer layer of the center, that not only should the outer layer be made with these specific thermoplastic elastomers, but also that they be composed of a hard segment and a soft segment. This is in order to improve the rebound characteristics and shot feel of the resultant golf ball. Yabuki et al. does not identify such a improvement over the outer layer of the center as illustrated in the Yabuki et al. reference. Applicant has explained the differences in the terminology and submitted printed publications to support his position. The Examiner has not submitted any contrary evidence, but merely stated that the Examiner fails to see a patentable distinction between the oil-resistant layer of the present invention and the Yabuki et al. reference. Applicant has pointed out a patentable distinction in the improvement, which is surprising and unexpected over the rebound characteristics and the shot feel of the present invention compared to Yabuki et al. Any presumption raised by the Examiner's citation of Yabuki et al. and arguments based thereon, has been overcome by the printed evidence and this argument. Applicant respectfully urges the Examiner to reconsider her final rejection in the light of the

evidence submitted in those printed publications and this argument as to the unobvious nature of the invention as now claimed.

Accordingly, favorable action and allowance of the present application is respectfully solicited.

Should the Examiner wish to contact Applicant's representative, she may do so by telephoning Edward H. Valance, Reg. No. 19,896, at (703) 205-8000 in the Washington Metropolitan area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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JAK/EHV:bmp

Attachment: Version with Markings to Show Changes Made

VERSION WITH MARKING TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

Claim 1. (Twice Amended) A thread wound golf ball comprising

(a) a solid center composed of an inner center formed from a vulcanized molded rubber composition containing an oily substance, and a center outer layer formed from an oil-resistant substance selected from the group consisting of polyurethane thermoplastic elastomer, polyester thermoplastic elastomer, polyamide thermoplastic elastomer and a mixture thereof that is composed of hard segment and soft segment, and coated around the inner center so as to prevent the oily substance of the inner center from bleeding,

(b) a thread rubber layer formed on the solid center, and

(c) a cover covering the thread rubber layer, wherein

the inner center has a diameter of 24 to 33 mm, a JIS-A hardness of not more than 50 and a deformation amount of not less than 2.0 mm when applying from an initial load of 1 kg to a final load of 5 kg,

the center outer layer has a Shore D hardness of not more than 60 and is formed from a resin composition mainly containing thermoplastic resin, and

the solid center has a diameter of 25 to 34 mm.